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NO. 5226 P. 12
OFFICIAL 10/30/02 SIM

Docket N.: PF-0187-2 DIV

Response Under 37 C.F.R. 1.116 - Expedited Procedure

Examining Group 1644

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CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the attention of Examiner J. Roark, Group Art Unit 1644, U.S. Patent and Trademark Office to Facsimile No. 703-746-5174 on the date shown below.

Signature

October 30, 2002

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title: ANTIBODIES TO SUBUNITS OF NADH DEHYDROGENASE

Serial No.: 09/726,899

Filing Date: November 29, 2000

Examiner: Roark, J.

Group Art Unit: 1644

Box AF

Commissioner for Patents

Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136

Sir:

Applicant respectfully petitions for a one (1) month extension of time within which to respond to the Office Action mailed March 21, 2002 and is further to the Notice of Appeal filed July 22, 2002 and received by the USPTO on July 30, 2002, such extension allowing the undersigned until October 30, 2002, to respond.

Please charge Deposit Account No. 09-0108 in the amount of \$ 110.00, as set forth in the enclosed transmittal letter. If the USPTO determines that an additional fee is necessary, please charge any required fee to Deposit Account No. 09-0108.

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Respectfully submitted,

INCYTE GENOMICS, INC.

Date: October 30, 2002

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